



UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
OFFICE OF THE SECRETARY
WASHINGTON, D.C.

Issued by the Department of Transportation on January 21, 1999

NOTICE OF ACTION TAKEN -- DOCKET OST-97-3276

This serves as notice to the public of the action described below, taken by the Department official indicated (no additional confirming order will be issued in this matter).

Applicant: Harlequin Air Corporation

Date Filed: January 4, 1999

Relief requested: Exemption from 49 U.S.C. § 41301 to engage in charter foreign air transportation of persons, property and mail between Japan and the United States; and other charters in accordance with Part 212 of the Department's rules.

If renewal, date and citation of last action: February 13, 1998, confirmed by Order 98-2-10

Applicant representative: Anne D. Smith (202) 626-3600

Responsive pleadings: None filed

DISPOSITION

Action: Approved

Action date: January 21, 1999

Effective dates of authority granted: January 21, 1999-January 21, 2000

Basis for approval (bilateral agreement/reciprocity): April 20, 1998 Memorandum of Understanding between the United States and Japan (1998 MOU)

Except to the extent exempted/waived, this authority is subject to the terms, conditions, and limitations indicated:

X Standard exemption conditions

Special conditions/Partial grant/Denial basis/Remarks: The authority granted above is (1) subject to the prior approval requirements for charters set forth in Order 98-2-10, and (2) must be performed consistent with existing agreements between the United States and Japan.

Action taken by: Paul L. Gretch, Director
Office of International Aviation

Under authority assigned by the Department in its regulations, 14 CFR Part 385, we found that (1) the applicant was qualified to perform the proposed operations; (2) immediate action was required and was consistent with Department policy; (3) grant of the authority was consistent with the public interest; and (4) grant of the authority would not constitute a major regulatory action under the Energy Policy and Conservation Act of 1975. To the extent not granted/deferred/dismissed, we denied all requests in the referenced Docket. We may amend, modify, or revoke the authority granted in this Notice at any time without hearing at our discretion.

Persons entitled to petition the Department for review of the action set forth in this Notice under the Department's regulations, 14 CFR § 385.30, may file their petitions within ten (10) days after the date of issuance of this Notice. This action was effective when taken, and the filing of a petition for review will not alter such effectiveness.

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